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8 Attorneys for Defendant
9 **BORESHA INTERNATIONAL, INC.,**
10 a California corporation

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOSEPH W. BOSWELL,

Plaintiff,

v.

BORESHA INTERNATIONAL, INC.,
a California corporation, and
CORNERSTONE MARKETING, LLC,
an Indiana limited liability company,

Defendants.

Case No. 3:14-cv-04025-MEJ

AGREED ORDER OF DISMISSAL

Now come the parties to this action, Joseph W. Boswell, Plaintiff, by Counsel, Barry L. Bruce and Associates, L.C.; Boresha International, Inc., Defendant, by Counsel Steven N.H. Wood, Bergquist, Wood, McIntosh & Seto, LLP; Cornerstone Marketing, LLC, Defendant, by Joseph Juliano, Managing Member, *pro se*, and respectfully request this Court dismiss the subject action, without prejudice, and represent until the Court as follows:

By Memorandum Opinion and Order entered on September 4, 2014, in the United States District Court for the Southern District of West Virginia, Beckley Division, Case No 5:11-cv-15498, the Court found that this matter shall be transferred to the United States District Court for the Northern District of California because "...the parties agreed to jurisdiction and venue in California per the plainly worded MOU that incorporated Boresha's Policies and Procedures."

Boresha's Policies and Procedures, at paragraph 44, Dispute Resolution, provides that "...any controversy or claim arising out of or relating to this Agreement or the breach thereof, shall be settled through confidential arbitration. The Parties waive rights to trial by jury or to any Court."

The Court, having considered the representations of the parties and the Memorandum Opinion and Order entered in the United States District Court for the Southern District of West Virginia, hereby

ORDERS that this action be dismissed, without prejudice, and stricken from the active docket of the Court.

ENTERED this the 10 day of November, 2014.



Judge

Prepared By:

BERGQUIST, WOOD, MCINTOSH & SETO, LLP

By: /s/ Steven N.H. Wood, Esq.

Steven N.H. Wood, CA State Bar #161291
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(Counsel for Defendant Boresha International, Inc.)

Reviewed and Agreed By:

BARRY L. BRUCE AND ASSOCIATES, L.C.

By: /s/ Barry L. Bruce, Esq.

Barry L. Bruce, WV State Bar ID #511
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(Counsel for Plaintiff, Joseph Boswell, III)

CORNERSTONE MARKETING, LLC

By: /s/ Joseph Juliano

Joseph Juliano, Managing Member
CORNERSTONE MARKETING, LLC
11437 N. Sarah Lane
Mooresville, IN 46158
Tel: (317) 697-6148
(Defendant Cornerstone Marketing, LLC, *pro se*)

SIGNATURE ATTESTATION

I, Steven N.H. Wood, am the ECF user whose identification and password are being used to file the foregoing:

AGREED ORDER OF DISMISSAL

I hereby attest that Barry L. Bruce, Attorney for Plaintiff Joseph Boswell, III, and Joseph Juliano, Managing Member of Cornerstone Marketing, LLC, *pro se*, signatories to this Agreed Order of Dismissal, concurred in this filing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 7th day of November, 2014, in Walnut Creek, California.

BERGQUIST, WOOD, MCINTOSH & SETO, LLP

By: /s/ Steven N.H. Wood, Esq.

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(Counsel for Defendant Boresha International, Inc.)

CERTIFICATE OF SERVICE

I, Kimberly C. Britz, secretary to Steven N.H. Wood, Esq., certify on this 10th day of November, 2014 that a true and correct copy of the “**AGREED ORDER OF DISMISSAL**” was filed with the Clerk, of the U.S. District Court, Northern District of California, using the CM/ECF filing system, which caused a copy to be electronically mailed to all CM/ECF participants registered to receive electronic notices in the above-captioned case.

Steven N.H. Wood, Esq.
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Counsel for Defendant
BORESHA INTERNATIONAL, INC.

And deposited the same to the following in the U.S. Mail, postage prepaid, sealed in an envelope, and addressed as follows:

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Registered Agent for Cornerstone Marketing, LLC

BERGQUIST, WOOD, MCINTOSH & SETO, LLP

By: /s/ Kimberly C. Britz

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